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4-8-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: Ogram

Serial #: 09/654,339

Filed: 09/08/2000

For: A METHOD OF PROCESSING PAYMENT ON A NETWORK OF COMPUTERS SUCH AS
THE INTERNET

Docket #: 1475B.5A.5

Examiner: Cosimano, E.

Group: 2161

**TERMINAL DISCLAIMER TO OBLVIAE
A DOUBLE PATENTING REJECTION (37 CFR 1.321(C))**

United States Patent number 5,822,737

Honorable Commissioner of Patents and Trademarks
Washington D.C. 20231

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Technology Center 2100

Sir:

I, Mark E. Ogram, represent that I am:

- () an inventor of the above identified invention;
() an assignee of the above identified invention;
(X) a representative authorized to sign on behalf of the assignee of the above identified
invention;
() the attorney of record for the above identified invention.

Identity of Assignee and Title of Disclaimant:

The assignee is:

Name: Net MoneyIN Inc.
Address: 8040 S. Kolb Rd.
Tucson, Arizona 85706

Title of disclaimant authorized
to sign on behalf of assignee: Vice PresidentAssignment Recorded: Reel/Frame 011070/0808**Extent of Disclaimant's Interest:**

The extent of the interest in this invention that the disclaimant owns is in:

- (X) the whole of this invention;
() A sectional interest in this invention, as follows: _____

Disclaimer (37 CFR 1.321(a) and (b)):

The terminal part of the statutory term of any patent granted on the above-identified application or the
above-identified patent that is subject to re-examination, which would extend beyond the expiration date of the full
statutory term defined in 35 U.S.C. 154 to 156 and 173 of the patent or application forming the basis of the double
patenting rejection.

- (X) United States Patent number 5,822,737, as presently shortened by any terminal disclaimer;
() Any patent granted on application number _____



is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above identified application shall be enforceable only for, and during, such period that the legal title to said patent shall be the same as the legal title to,

- (X) United States Patent number 5,822,737, as presently shortened by any terminal disclaimer;
() Any patent granted on application number _____

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assignees.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the patent or application forming the basis of the double patenting rejection.

- (X) United States Patent number 5,822,737, as presently shortened by any terminal disclaimer;
() Any patent granted on application number _____

in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued in any manner or is terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Fees:

The fees for this Disclaimer is computed as follows (37 CFR 1.20(d)):

- | | | |
|-----|------------------------------------------------------------------------|-----------|
| () | Other than a small entity: | \$ 110.00 |
| (X) | Small Entity | \$ 55.00 |
| () | A verified small entity statement is attached | |
| (X) | A verified small entity statement was filed
on <u>Sept. 8, 2000</u> | |

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Attached is check number 3847 covering the above identified amount of \$ 55.00.

A duplicate of this disclaimer is attached.

Respectfully Submitted,

Mark E. Ogram
Attorney at Law (Reg. No. 30343)

Date: 3/22/02

CERTIFICATE OF MAILING (37 CFR 1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on mail 22, 2002

Date 3/22/02

Mark E. Ogram, reg. no. 30343